IV. REMARKS

1. Claim 1 is amended. Claims 1-6 are pending in this Application.

2. Applicant submits that original title "WEIGHING MODULE FOR FRANKING MACHINE" satisfies the requirements of M.P.E.P. § 606 and 37 C.F.R. 1.75. The title is descriptive of what is being claimed by Applicant. If the Examiner still feels that the title is not descriptive, Applicant respectfully requests an indication as to why the original title is not descriptive and would appreciate any suggestion the Examiner may have.

3. Claims 1-6 are patentable under 35 U.S.C. 102(b) over Hopkins et al., U.S. Patent No. 6,331,682 ("Hopkins"). Claim 1 recites in part a single removable connection means for fixedly connecting the first retaining means to the second retaining means. Hopkins does not disclose or suggest this feature.

Hopkins discloses a tank weigh module having lower stop blocks (5A-5D) connected to the bottom plate (1) so as to protrude upwardly from the bottom plate and upper stop blocks (6A, 6B) connected to the top plate (2) so as to protrude downwardly from the top plate (2) (Col. 4, L. 34-41). The upper and lower stop blocks have play or clearance between them to allow the movement of the top plate (2) (Col. 4, L.41-44). The lower blocks (5A-5D) have a pin receiving hole (7A) that receives a restraining pin (8). The restraining pin (8) is friction fit into hole (7A) of the lower blocks (5A-5D). The upper blocks (6A, 6B) have a corresponding hole (7B) that is larger than the pin (8) so that the pin is free to move within the hole (7B) (Col. 4, L. 51-65 and Col. 5, L. 4-16). A shipping chock (17) may be inserted with a wedging effect between the bottom plate (1) and the upper stop

blocks (6A, 6B) so that the top plate (2) is locked in its uppermost position during shipping for protecting the load cell (Col. 3, L. 32-35 and Col. 5, L. 28-34).

Unlike the single removable connection means claimed by Applicant, Hopkins uses two shipping chocks (17) in combination with the restraining pins (8) to hold the top plate (2) in its uppermost position (Col. 5, L. 28-34). If one chock (17) were used only one side of the top plate (2) would be in the uppermost position while the other side would be free to move around. As a result of using only one chock (17), the load cell (9) would also be free to move around. Thus, at least two connecting means are needed in Hopkins.

In addition, the restraining pins (8) in Hopkins, by themselves, cannot immobilize the load cell (9) by holding the top plate (2) in its uppermost position, or in any other position, as the pins (8) are friction fit in the lower blocks (5A-5D) and free to move around in hole (7B) of the upper blocks (6A, 6B) (Col. 4, L. 51-65 and Col. 5, L. 4-16). Nowhere does Hopkins disclose "a single removable connection means for fixedly connecting the first retaining means to the second retaining means" as claimed by Applicant.

Therefore, claim 1 is patentable over Hopkins. Claims 2-6 are patentable at least by reason of their respective dependencies.

4. Claim 1 is patentable under 35 U.S.C. 102(b) over Tyhy et al., U.S. Patent No. 5,393,936 ("Tyhy"), as Tyhy fails to disclose or suggest immobilization means for immobilizing the weighing cell during transport of the module and a single removable connection means for fixedly connecting the first

retaining means to the second retaining means as recited in claim 1.

Tyhy discloses an on-board weigh scale for a vehicle. The weigh scale has a support frame (2) that is mounted on the frame (3) of the truck. The weigh frame (6) is mounted above the support frame (2) and provides a frame on which storage tanks are mounted. Interface beams (5) are mounted on top of the support frame (2) and are securely fastened thereto (Col. 5, L. 25-41). The interface beams (5) separate the support frame (2) from the weigh frame (6) and also serve as a mounting point for an over-centering latch (7) and a positioning device (8) located near each corner of the support frame (2) (Col. 5, L. 42-49). The over-centering latch (7) serves to restrain the weigh frame (6) in the vertical direction and the positioning device (8) prevents lateral or longitudinal movement of the weigh frame (6) with respect to the support frame (2) (Col. 6, L. 3-19). The combined effect of the over-centering latch (7) and positioning device (8) locks the weigh frame (6) to the support frame (2) for transport of the weigh scale (Col. 6, L. 24-27). In addition, the links (11d) of the load cells (11) are removed during transport (Fig. 2 and Col. 3, L. 4-9).

Nowhere does Tyhy disclose or suggest "a <u>single removable connection means</u> for fixedly connecting the first retaining means to the second retaining means" as recited in claim 1. Rather, in Tyhy, there are four positioning devices (8) and four over-centering latches (7), one of each being positioned at each corner of the support frame (2). The positioning devices (8) are used in combination with the over-centering latches (7) to hold the weigh frame (6) down on the support frame (2) and to prevent lateral and longitudinal movement of the weigh frame (6). There

is no single connection means as called for in claim 1 because any one of the positioning devices (8) or any one of the over-centering latches (7) by themselves cannot immobilize the weigh frame (6) during transport.

Moreover, the combination of the latches (7) and the positioning devices (8) in Tyhy may secure the weigh frame (6) during transport but they do not, individually or in combination, immobilize the load cell (11). The load cell is essentially disconnected as the operative link (11d) that transfers the weight from the weigh frame and thus from one load cell component (11a) to the other (11b) is disconnected (Fig. 2 and Col. 3, L. 4-9). The load cell (11) cannot be immobilized as claimed by Applicant, as it is disconnected and inoperable during transport.

Therefore, claim 1 is patentable over Tyhy.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of $1,020.00 for a three (3) month extension of time is being submitted herewith. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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